IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2532 OF 2005

Gurnitsingh Natha Singh & Ors. ...Petitioners
Vs. (Orig. Accused)

Mrs. Sukhjinder @ Sandhya Kaur & Ors. ...Respondents

Mr.Vinod H. Wagh i/b. Mr. Hitendra S. Venegavkar for the Petitioners
Mr. A.S. Gadkari, A.P.P for the State

CORAM: SHRI J.N.PATEL &
SMT. ROSHAN DALVI, JJ.
DATED: 30TH AUGUST, 2006

P.C.

1. Heard.

2. The Petitioner is seeking orders of this Court to quash Criminal Case No.106 of 2003 registered before the Judicial Magistrate First Class, Vashi at Navi Mumbai against the Petitioner for having committed offence under Section 498-A, 406 r.w. 34 of the Indian Penal Code, that the said private criminal complaint may be transferred from Navi Mumbai to Bijnaur, U.P and be tried with the criminal complaint bearing No.I-0/2003 filed at Nurpur Police Station, Bijnaur, U.P.

3. The Petitioner No.1 is the husband of the

complainant/Respondent No.1 whereas the other Petitioners are inlaws. It is admitted by the Petitioner that the complainant is residing at Vashi, Navi Mumbai, Dist: Thane. Therefore, in the facts and circumstances, the Respondent No.1 cannot be directed to prosecute her case at Bijnaur, U.P by transferring it. Therefore, there is no merits in the Petition. Petition dismissed.

(SMT.ROSHAN DALVI, J.) (SHRI. J.N. PATEL, J.)